

Notice of Allowability

Application No.

10/809,246

Applicant(s)

ASBILL, ROGER LEE

Examiner

MY-CHAU T. TRAN

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/25/2007.
2. ☒ The allowed claim(s) is/are 1,2,4-8,11,13-17 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

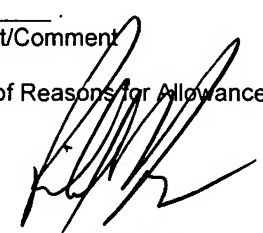
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

REASONS FOR ALLOWANCE

Application and Claims Status

1. Applicant's amendment and response filed 05/25/2007 are acknowledged and entered.
2. Claims 1-20 were pending. Applicants have amended claims 1, 2, 4-6, 8, 11, 13-17, and 20 and cancelled claims 3, 9, 10, 12, 18, and 19. No claims were added. Therefore, claims 1, 2, 4-8, 11, 13-17, and 20 are currently pending and are under consideration in this Office Action.

3. The following is an examiner's statement of reasons for allowance:

The instant claims are allowed for the reason that the cited prior arts does not teach or fairly suggest the presently claimed device as follows:

- a) For claims 1, 2, and 4-7, the limitation of "*wherein a spacer dot density is in a range of 0.08 to 0.14 over a first portion of the first electrically conductive thin film*" of claim 1 is not taught or suggested by the cited prior art.
- b) For claims 8, 11, and 13, the limitation of "*wherein a spacer dot density in the first touch pad portion exceeds a spacer dot density in the second touch pad portion by a factor in a range of 1.6 to 14*" of claim 8 is not taught or suggested by the cited prior art.
- c) For claim 14, the limitation of "*wherein a spacer dot diameter in the first and second touch pad portions is the same and wherein a spacer dot pitch in the first and second touch pad portions differs*" is not taught or suggested by the cited prior art. Additional, the specification specifically defines the terms of '*spacer dot*

diameter' and '*spacer dot pitch*' (see specification pg. 4, lines 14-18; pg. 5, line 28 thru pg. 6, line 2; figs. 4 and 5).

- d) For claim 15, the limitation of "*wherein a spacer dot diameter in the first and second touch pad portion differs and wherein a spacer dot pitch in the first and second touch pad portions is the same*" is not taught or suggested by the cited prior art. Additional, the specification specifically defines the terms of '*spacer dot diameter*' and '*spacer dot pitch*' (see specification pg. 4, lines 14-18; pg. 5, line 28 thru pg. 6, line 2; figs. 4 and 5).
- e) For claim 16, the limitation of "*wherein a spacer dot diameter in the first and second touch pad portions differs and wherein a spacer dot pitch in the first and second touch pad portions differs*" is not taught or suggested by the cited prior art. Additional, the specification specifically defines the terms of '*spacer dot diameter*' and '*spacer dot pitch*' (see specification pg. 4, lines 14-18; pg. 5, line 28 thru pg. 6, line 2; figs. 4 and 5).
- f) For claim 17 and 20, the limitation of "*wherein the first and second physical means comprise electrically insulating spacer dots formed on the second electrically conductive thin film, and wherein a ratio of spacer dot diameter to spacer dot pitch in the first portion of the touch pad film differs from a ratio of spacer dot diameter to spacer dot pitch in the second portion of the touch pad film*" is not taught or suggested by the cited prior art. Additional, the specification specifically defines the terms of '*spacer dot diameter*' and '*spacer dot pitch*' (see specification pg. 4, lines 14-18; pg. 5, line 28 thru pg. 6, line 2; figs. 4 and 5).


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MY-CHAU T. TRAN whose telephone number is 571-272-0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

My-Chau T. Tran
June 14, 2007



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
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